

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 ROMAL KHAIR,

Case No. 2:18-cv-01664-GMN-VCF

5 Petitioner,

ORDER

6 v.


7 ATTORNEY GENERAL UNITED STATES  
8 OF AMERICA, et al.,

9 Respondents.

10 The is a *pro se* petition filed pursuant to 28 U.S.C. § 2241, alleging unconstitutional  
11 immigration detention following a final order of removal. Respondents have moved to dismiss,  
12 arguing that petitioner's removal is reasonably foreseeable. Petitioner opposed. In their reply,  
13 respondents raised a new argument: Even if removal is not reasonably foreseeable, petitioner has  
14 no viable claim because he received an individualized bond hearing in August 2018, at which time  
15 an immigration judge denied bond after determining petitioner was a flight risk. As this argument  
16 was raised for the first time in reply, petitioner has not had an opportunity to respond. The Court  
17 therefore *sua sponte* grants petitioner leave to file a sur-reply addressing this newly raised  
18 argument. Any such sur-reply shall be filed within fifteen days of the date of entry of this order.

19 IT IS SO ORDERED.

20 DATED THIS 28 day of Dec, 2018.

21   
22 GLORIA M. NAVARRO  
23 UNITED STATES DISTRICT JUDGE